

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Document #

**137**

AMBAC Assurance Corporation

U.S.C.A. # 11-0933

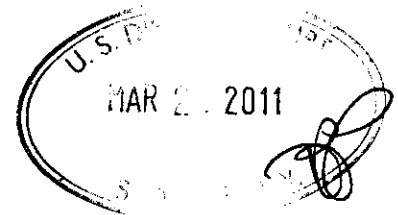
U.S.D.C. # 08-cv-9464

-v-

JUDGE : Richard M. Berman

EMC Mortgage

DATE : 3-21-2011



**NOTICE TO THE DOCKET CLERK**

<sup>1st</sup>  
(☒) SUPPLEMENTAL INDEX

The record in the above entitled case was indexed to the U.S.C.A. for the  
Second Circuit on the 21<sup>st</sup> Day of March, 2011.

ABAC Assurance Corporation

U.S.C.A. # 11-0933

-v-

U.S.D.C. # 08-cv-9464JUDGE: Richard M. Berman

EMC Mortgage

DATE: 3-21-1118 SUPPLEMENTAL INDEX TO THE RECORD ON APPEALPREPARED BY (NAME): CRAIG ALEXANDERFIRM: Greenberg TraurigADDRESS: 200 Park Ave. ManhattanPHONE NO.: (212) 801-9200

## DISTRICT COURT DOCKET ENTRIES

## DOCUMENT DESCRIPTION

DOC. #

- |                                                             |     |
|-------------------------------------------------------------|-----|
| 1. SUPPLEMENTAL CLERK'S CERTIFICATE                         | - - |
| 2. TRANSCRIPT of proceeding held on May 5, 2009 @ 2:00 p.m. | 34  |
| 3. TRANSCRIPT of proceeding held on 8/5/09                  | 44  |
| 4. TRANSCRIPT of proceeding held on March 8, 2010 p.m.      | 56  |
| 5. TRANSCRIPT of proceeding held on March 8, 2010 p.m.      | 58  |
| 6. TRANSCRIPT of proceeding held on 4/28/10                 | 64  |
| 7. TRANSCRIPT of proceeding held on June 9, 2010            | 72  |
| 8. TRANSCRIPT of proceeding held on 7/7/10                  | 80  |
| 9. TRANSCRIPT of proceeding held on October 4, 2010         | 95  |

USCA NO. 11-0933

SDNY NO. 08 CV 9464

## INDEX TO THE RECORD ON APPEAL CONTINUED

### Clerk's Certificate

See Attached List of Numbered Documents

TRANSCRIPT OF proceedings held on 10-04-2010	Doc # 97
TRANSCRIPT OF proceedings held on 1-5-2011	Doc # 114
ENDORSED LETTER addressed to Judge Richard M. Berman dated 3/9/2011	Doc # 132
VOLUME I: EXHIBITS 1-3 To The declaration of Eric N. Whitney	Doc # 133
VOLUME II: EXHIBITS 4-14B To The declaration of Eric N. Whitney	Doc # 134
VOLUME III: EXHIBITS 15-30H To The declaration of Eric N. Whitney	Doc # 135
VOLUME IV: EXHIBITS 31-63 To The declaration of Eric N. Whitney	Doc # 136

Ruby J. Krajick, Clerk

By \_\_\_\_\_  
Deputy Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Am BAC Assurance Corp.

U.S.C.A. # 11 - 0933

U.S.D.C. # 08-Cv-9464

JUDGE: Richard M. Berman

DATE: 3-21-2011

-v-

Emc Mortgage

1st SUPPLEMENTAL CLERK'S CERTIFICATE

I, Ruby J. Krajick, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified extract of the docket entries and the original filed papers numbered 1 through 36, inclusive, constitute the Supplemental record on appeal in the above entitled proceedings.

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 21st Day of March In this year of our Lord, Two Thousand and Eleven, and the Independence of the United States this 235<sup>th</sup> year.

Ruby J. Krajick, Clerk

By [Signature]

Deputy Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Date: 3-21-2011

AMBAC Assurance Corporation

USCA NO. 11-0933

-v-

SDNY NO. 08 CV 9464

EMC Mortgage

JUDGE: Richard M. Berman

Extract of Docket Entries

<u>DATE</u>	<u>DOCUMENTS DESCRIPTION</u>
<u>5/22/2009</u>	<u>TRANSCRIPT of proceeding held on May 5, 2009</u>
<u>8/12/2009</u>	<u>TRANSCRIPT of proceeding held on 8/5/09</u>
<u>3/10/2010</u>	<u>TRANSCRIPT of proceeding held on March 8, 2010</u>
<u>3/19/2010</u>	<u>TRANSCRIPT of proceeding held on March 8, 2010</u>
<u>5/05/2010</u>	<u>TRANSCRIPT of proceeding held on 4/28/10</u>
<u>6/23/2010</u>	<u>TRANSCRIPT of proceeding held on June 9, 2010</u>
<u>7/16/2010</u>	<u>TRANSCRIPT of proceeding held on 7/7/10</u>
<u>10/13/2010</u>	<u>TRANSCRIPT of proceeding held on October 4, 2010</u>
<u>10/26/2010</u>	<u>TRANSCRIPT of proceeding held on 10/04/2010</u>
<u>1/19/2011</u>	<u>TRANSCRIPT of proceeding held on 1/5/2011</u>

Ruby J. Krajick, Clerk

By: 

Deputy Clerk

PAGE 2 OF 2

DATE: 3-21-2011

U.S.C.A. # 11-0933

U.S.D.C. # 08 CV 9464

D.C. JUDGE: Richard M. Berman

**EXTRACT OF DOCKET ENTRIES (Continued)**

**DATE FILED**

**DOCUMENT DESCRIPTION**

3/09/2011 ENDORSED LETTER addressed to Judge Richard M. Berman

3/16/2011 VOLUME I: EXHIBITS 1-3 to the declaration of Eric N. Whitney


3/16/2011 VOLUME II: EXHIBITS 4-14B to the declaration of Eric N. Whitney

3/16/2011 VOLUME III EXHIBITS 15-304 to the declaration of Eric N. Whitney

3/16/2011 VOLUME IV EXHIBITS 31-63 to the declaration of Eric N. Whitney

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Ruby J. Krajick, Clerk

By:   
Deputy Clerk